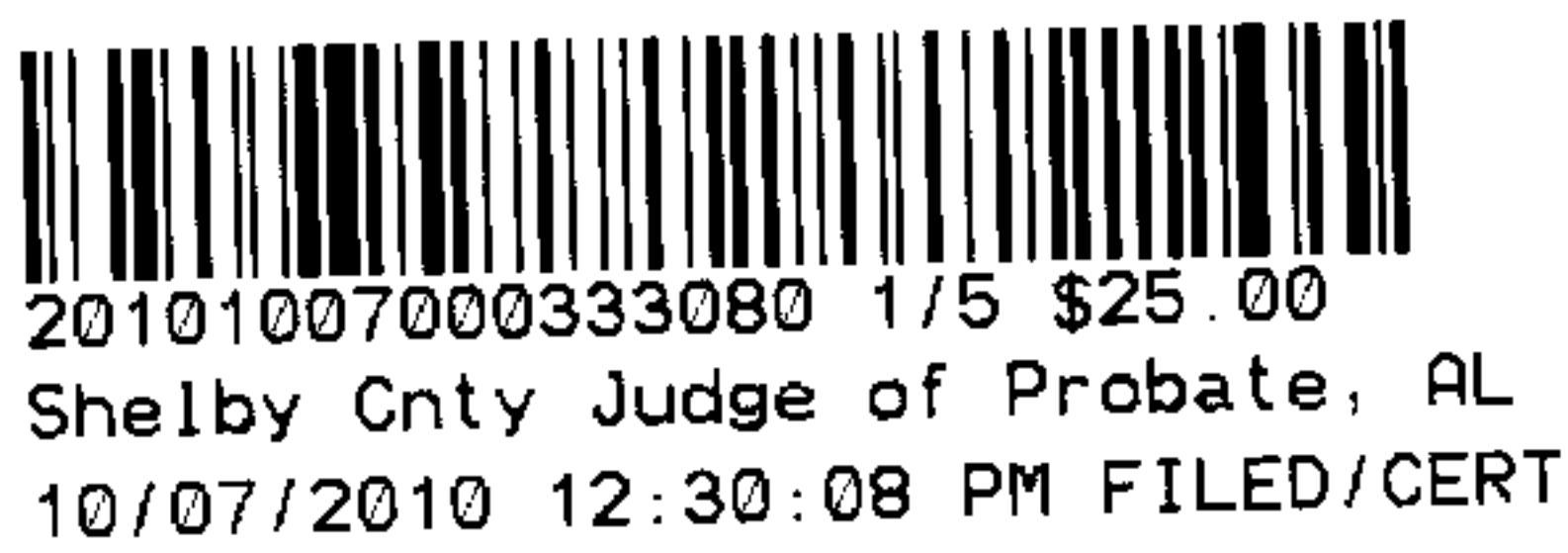


THIS INSTRUMENT PREPARED BY



STATE OF ALABAMA )

COUNTY OF SHELBY )

TRACT NO. 1 PARCELS NO. 1 & 2

RIGHT OF WAY DEED FOR PUBLIC ROAD

KNOW ALL MEN BY THESE PRESENTS, that for and in consideration of the sum of TWO THOUSAND SIX HUNDRED TEN AND 00/100 dollar(s) (\$2,610.00) cash in hand paid, the receipt of which is hereby acknowledged, as I (we), the undersigned grantor(s), KENNETH A. HEARN & TINA HEARN have this day bargained and sold, and by these presents do hereby grant, bargain, sell and convey unto the State of Alabama a permanent easement and right of way including all right, title and interest in and to all timber growing or at any time located within the right of way and easement limits, upon the land hereinafter described, together with the right to locate or relocate utilities, and to enter upon such described land and grade, level, fill, drain, pave, build, maintain, repair, and rebuild a road or highway, together with such bridges, culverts, ramps, and cuts as may be necessary, on, over and across such right of way easement situated and lying in the County of SHELBY, State of Alabama and more particularly described as follows:

And as shown on the right of way map of Project No. STPAA-7112(604) of record in the Alabama Department of Transportation a copy of which is also deposited in the office of the Judge of Probate of SHELBY County, Alabama as an aid to persons and entities interested therein and as shown on the Property Plat attached hereto and made a part hereof:

Parcel 1:

Commence at the Southeast corner of the Southwest ¼ of the Southwest ¼ of Section 9, Township 21 South, Range 3 West and run North 89 degrees 06 minutes 11 seconds West along the South line of said ¼ - ¼ a distance of 548.86 feet; thence run North 00 degrees 53 minutes 49 seconds East a distance of 151.03 feet to a point on the Construction Centerline of Shelby County Highway Department, Project No. STPAA-7112(604), Centerline Station 443+25; thence run North 64 degrees 33 minutes 17 seconds East a distance of 36.34 feet to Station 443+25 being 36.34 feet right of said Construction Centerline, said station is the Point of Beginning; thence continue along last described course and run a distance of 53.66 feet to Station 443+25 being 90.00 feet right of said Construction Centerline; thence run North 25 degrees 26 minutes 43



seconds West a distance of 55.25 feet to Station 443+80.25 being 90.00 feet right of said Construction Centerline, said station being on a curve to the right having a radius of 565.46 feet, a delta angle of 23 degrees 34 minutes 47 seconds and a chord distance of 231.07 feet; thence with a chord bearing of North 13 degrees 39 minutes 34 seconds West and run along the arc of said curve a distance of 232.71 feet to Station 446+50 being 90.00 feet right of said Construction Centerline; thence run North 88 degrees 07 minutes 50 seconds East a distance of 40.00 feet to Station 446+50 being 130.00 feet right of said Construction Centerline; thence run North 03 degrees 28 minutes 26 seconds East a distance of 105.91 feet to Station 447+75 being 130.00 feet right of said Construction Centerline; thence run North 83 degrees 29 minutes 25 seconds West a distance of 90.65 feet to Station 447+75 being 39.35 feet right of said Construction Centerline; thence run South 06 degrees 46 minutes 27 seconds West a distance of 35.49 feet to Station 447+35.11 being 39.16 feet right of said Construction Centerline, said station being on a curve to the left having a radius of 615.46 feet, a delta angle of 22 degrees 15 minutes 50 seconds and a chord distance of 237.65 feet; thence with a chord bearing of South 04 degrees 21 minutes 28 seconds East and run along the arc of said curve a distance of 239.16 feet to Station 444+85.49 being 35.76 feet right of said Construction Centerline; thence run North 74 degrees 30 minutes 37 seconds East a distance of 10.00 feet to Station 444+85.49 being 45.76 feet right of said Construction Centerline, said station being on a curve to the left having a radius of 605.46 feet, a delta angle of 01 degrees 44 minutes 54 seconds and a chord distance of 18.47 feet; thence with a chord bearing of South 16 degrees 21 minutes 50 seconds East and run along the arc of said curve a distance of 18.48 feet to Station 444+65.49 being 45.52 feet right of said Construction Centerline; thence run South 72 degrees 45 minutes 43 seconds West a distance of 10.00 feet to Station 444+65.49 being 35.52 feet right of said Construction Centerline said station being on a curve to the left having a radius of 615.46 feet, a delta angle of 12 degrees 40 minutes 37 seconds and a chord distance of 135.90 feet; thence with a chord bearing of South 23 degrees 34 minutes 36 seconds East and run along the arc of said curve a distance of 136.17 feet to the Point of Beginning.

Containing 26,414 Sq. Ft. or 0.61 Ac. +/-

## **Parcel 2:**

Commence at the Southeast corner of the Southwest  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of Section 9, Township 21 South, Range 3 West and run N 89 degrees 06 minutes 11 seconds W along the South line of said  $\frac{1}{4}$  -  $\frac{1}{4}$  a distance of 610.60 feet; thence run North 00 degrees 53 minutes 49 seconds East a distance of 278.39 feet to a point on the existing right-of-way centerline of Shelby County Highway Department, Project No. STPAA-7112(604), Centerline Station 444+67; thence run North 72 degrees 45 minutes 43 seconds East a distance of 40.00 feet to Station 444+67 being 40.00 feet right of said existing right-of-way centerline, said station is the Point of Beginning; thence continue along last described course and run a distance of 10.00 feet to Station 444+67 being 50.00 feet right of said existing right-of-way centerline, said station being on a curve to the right having a radius of 605.46 feet, a delta angle of 01 degrees 44 minutes 54 seconds and a chord distance of 18.47 feet; thence with a chord bearing of North 16 degrees 21 minutes 50 seconds West and run along the arc of said curve a distance of 18.48 feet to Station 444+87 being 50.00 feet right of said existing right-of-way centerline; thence run South 74 degrees 30 minutes 37 seconds West a distance of 10.00 feet to Station 444+87 being 40.00 feet right of said existing right-of-way centerline, said station being on a curve to the left having a radius of 615.46 feet, a delta angle of 01 degrees 44 minutes 54 seconds and a chord distance of 18.78 feet; thence with a chord bearing of South 16 degrees 21 minutes 50 seconds East and run along the arc of said curve a distance of 18.78 feet to the Point of Beginning.

Containing 185 Sq. Ft. or 0.004 Ac. +/-



20101007000333080 2/5 \$25.00  
Shelby Cnty Judge of Probate, AL  
10/07/2010 12:30:08 PM FILED/CERT



*To have and to hold the said temporary construction easement and right of way unto the State of Alabama and unto its successors and assigns for a period of two(2) years, or until the completion of Project No. STPAA-7112(604), whichever is later.*

*To have and to hold the said permanent easement and right of way including all right, title, and interest in and to such timber aforementioned unto the State of Alabama and unto its successors and assigns forever.*

*And the said grantor(s) hereby covenant(s) with the State of Alabama that I (we) am (are) lawfully seized and possessed of the afore-described tract or parcel of land; that I (we) have a good and lawful right to sell and convey it; that it is free from all encumbrances; and that I (we) will warrant and forever defend the title and quiet possession thereto against the lawful claims of all persons whomsoever.*

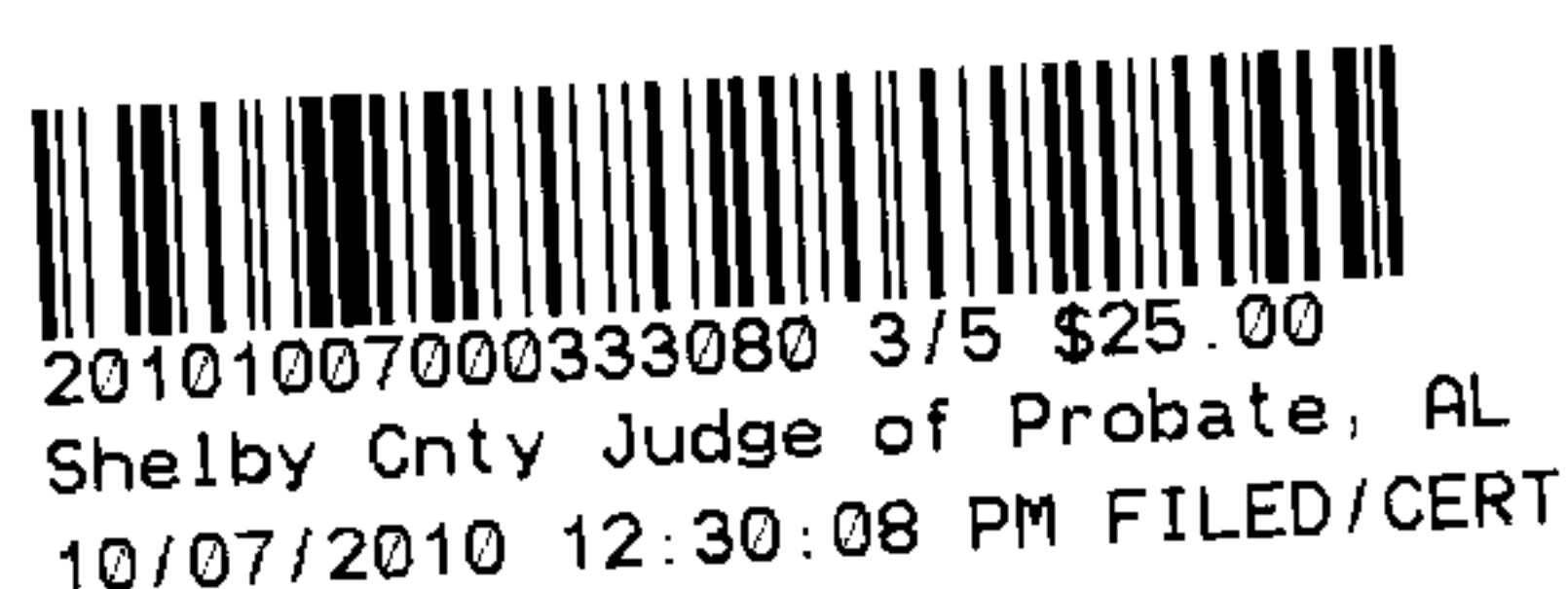
*As a further consideration for the payment of the purchase price, above stated, I (we) hereby release the state of Alabama, its employees and officials, from all claims for damage, from whatsoever cause, present or prospective, incidental or consequential, to the exercise of any of the rights herein granted.*

*The grantor hereby grants permission, with right of ingress to and egress from, grantor's adjoining property at any time during construction period of project for purpose of moving grantor's buildings and/or structures from the above described right of way.*

*In witness whereof I (we) have hereunto set my (our) hand(s) and seal(s) this the*  
16<sup>TH</sup> day of APRIL, 2010.

*Ken Ken* (LS)

*Lina Ham* (LS)



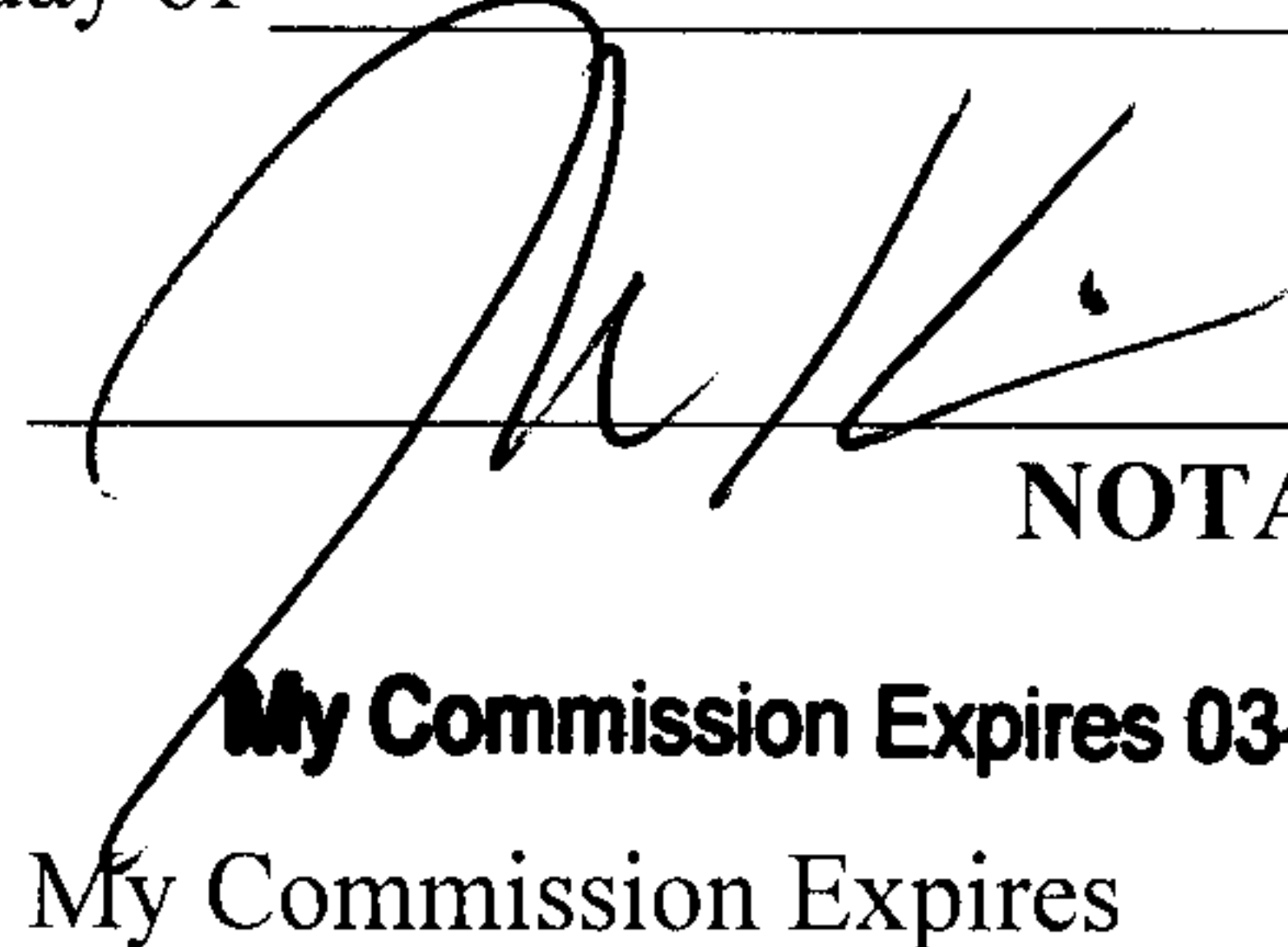
ACKNOWLEDGMENT

STATE OF ALABAMA )

COUNTY OF SHELBY )

I, THOMAS C. GRIMES, a Notary Public, in and for said County in said State, hereby certify that KENNEDY A. HEARN & TINA HEARN, whose name (s) APPEAR HEREIN PREVIOUSLY, signed to the foregoing conveyance, and who ARE known to me, acknowledged before me on this day that, being informed of the contents of this conveyance, KENNEDY A. HEARN & TINA HEARN executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 16<sup>th</sup> day of APRIL 20 10.

  
NOTARY PUBLIC  
My Commission Expires 03-18-2012  
My Commission Expires \_\_\_\_\_

ACKNOWLEDGMENT FOR CORPORATION

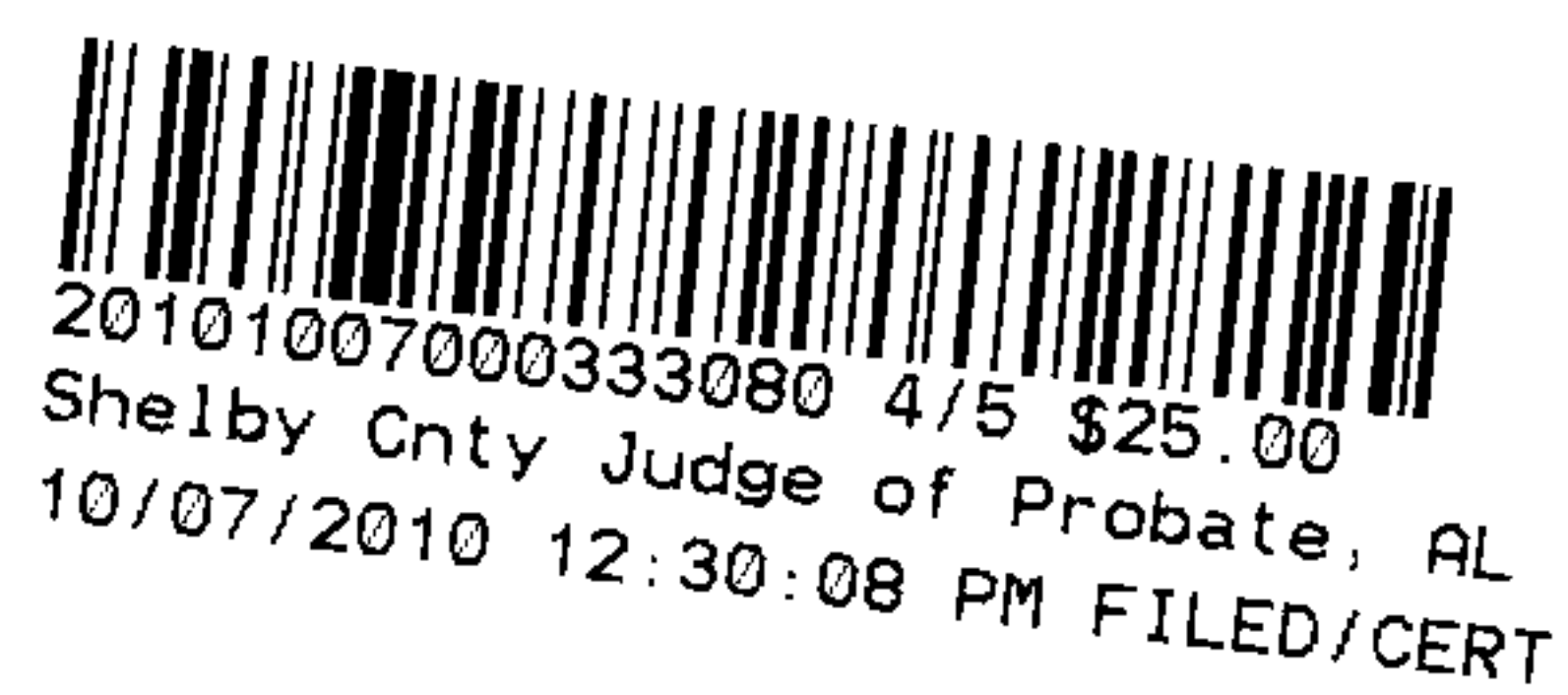
STATE OF ALABAMA

\_\_\_\_\_ County

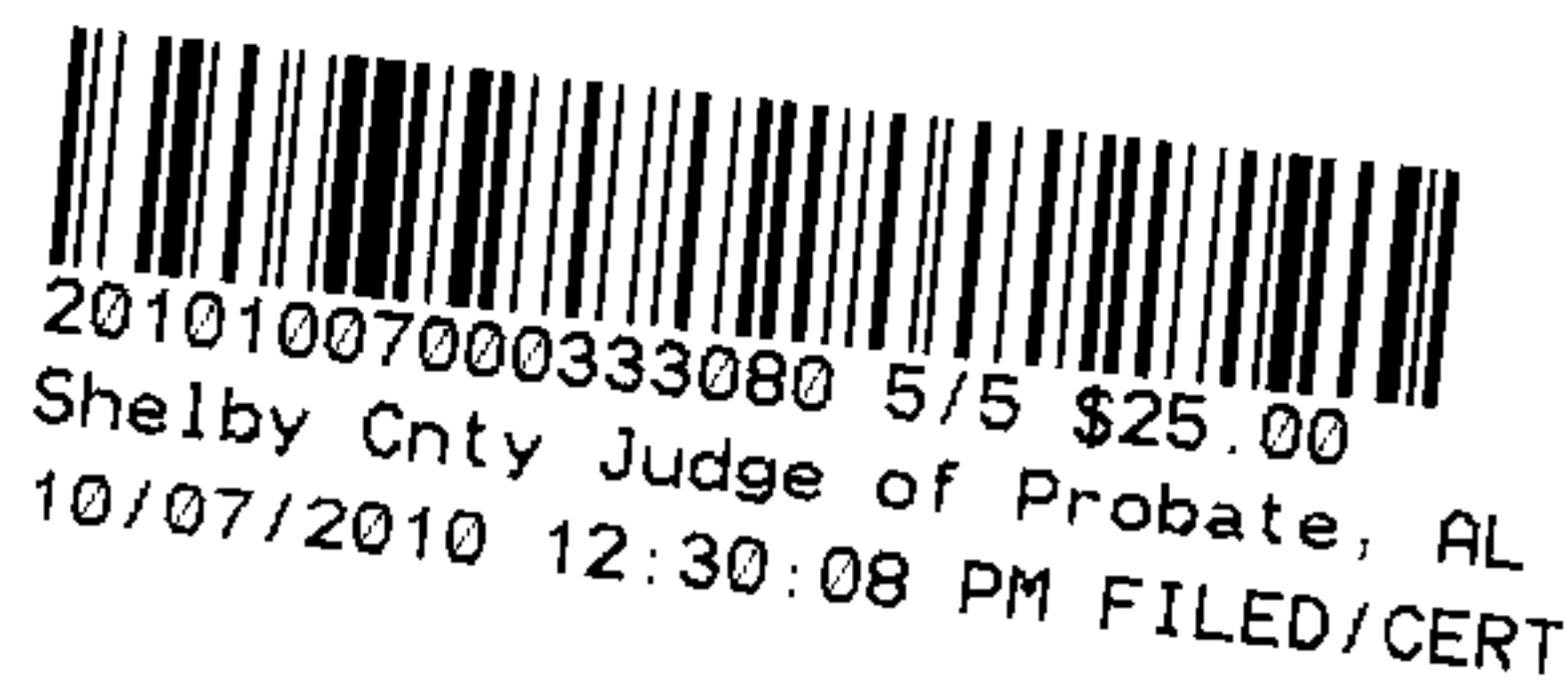
I, \_\_\_\_\_, a \_\_\_\_\_ in and for said County, in said State, hereby certify that \_\_\_\_\_ whose name as \_\_\_\_\_ of the \_\_\_\_\_ Company, a corporation, is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of this conveyance, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 20 \_\_\_\_\_.

\_\_\_\_\_  
Official Title \_\_\_\_\_







TRACT 1 PAR 1 OF 2 TEMPORARY CONSTRUCTION EASEMENT OWNER: Kenneth Hearn Tina Hearn  AREA REQUIRED 26,414 SQ. FT. OR 0.61 AC±	TRACT 1 PAR 2 OF 2 REQUIRED RIGHT-OF-WAY OWNER: Kenneth Hearn Tina Hearn  AREA REQUIRED 186 SQ. FT. OR .004 AC±	PROJECT NO.: <del>STPAA-7112</del> STPAA-7112(604)  COUNTY: SHELBY  SCALE: 1"=100' DATE: 10-20-2009 REVISED:
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